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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/726,510	12/01/2000	Sung-Kyu Choi	Q61373	1094

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SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC
2100 Pennsylvania Avenue, N.W.
Washington, DC 20037-3202

EXAMINER

CZEKAJ, DAVID J

ART UNIT	PAPER NUMBER
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2621

DATE MAILED: 09/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/726,510

Applicant(s)

CHOI, SUNG-KYU

Examiner

Dave Czekaj

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 June 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

On pages 2-5, applicant argues that Iverson and Jeong fail to disclose encoding the entire frame in either an intra or inter mode. While the applicant's points are understood, the examiner respectfully disagrees. The examiner notes that the claim does not recite encoding the entire frame in the intra mode or the entire frame in an inter mode depending on the results of the threshold comparison. The claim, as interpreted by the examiner, discloses encoding the entire frame in either an intra or inter mode in which Iverson discloses in column 5, lines 35-40. Although some of the frames of Iverson are first encoded as empty blocks, Iverson discloses in figure 6B, encoding the empty blocks as either intra or inter blocks. Therefore for an entire frame, Iverson encodes every block in an intra or inter mode. Therefore the rejection has been maintained.

On page 4, applicant argues that Iverson fails to disclose receiving a plurality of SAD values. While the applicant's points are understood, the examiner respectfully disagrees. See for example Iverson figure 6B. There Iverson discloses receiving an intra-sad and inter-sad value before determining a classification. Therefore the rejection has been maintained.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Iverson et al. (5832234), (hereinafter referred to as "Iverson").

Regarding claims 1-3, Iverson discloses an apparatus that relates to block classification schemes for encoding images using block transforms (Iverson: column 1, lines 10-12). This apparatus comprises "comparing frames to detect a sum of absolute pixel differences value" (Iverson: column 5, lines 42-61, wherein the sum of absolute pixel differences value is the SAD, comparing frames is the process of comparing blocks) and "an SAD examiner for generating coding selection information for coding the entire present frame in the intra mode when the SAD value exceeds a predetermined threshold or in the inter mode when the SAD value does not exceed the predetermined threshold" (Iverson: figures 6A-6B, column 9, lines 5-11). Although Iverson fails to show the first and second memories as disclosed, Iverson does show the current and reference frame data being applied as separate inputs to the motion estimator (Iverson: figure 3, item 302). The examiner notes that having the current and reference frame data being applied as separate inputs suggests that the current and reference frame data are stored in different storage mediums. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to implement the different storage means/memories in order to make the apparatus more efficient by allowing the system to perform more complex operations due to the increase in memory.

Regarding claim 4, Iverson discloses "receiving a plurality of SAD values of present input frame data and generating the coding selection information after the plurality of SAD values of the present input frame data are received" (Iverson: column 5, lines 42-65, wherein the plurality of SAD values is the summing of the plurality of pixels, the selection information is whether to encode the block using the inter or intra modes).

Regarding claim 5, Iverson discloses "each of the plurality of SAD values of the present input frame data are compared with the predetermined SAD threshold to code the frame data in one of the intra or inter coding modes" (Iverson: column 5, lines 42-65, wherein the plurality of SAD values are contained within the inter-SAD value, the predetermined SAD threshold is the specified threshold).

Regarding claims 6-7, note the examiners rejection for claims 4-5.

3. Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jeong (6393060).

Regarding claims 1-3, Jeong discloses an apparatus for coding and decoding low transfer rate video images (Jeong: column 1, lines 7-9). This apparatus comprises "comparing frames to detect an SAD" (Jeong: column 7, lines 37-38, wherein the SAD value is the difference between frames) and "an SAD examiner for generating coding selection information for coding the entire present frame in the intra mode when the SAD value exceeds a predetermined threshold or in the inter mode when the SAD value does not exceed the

predetermined threshold” (Jeong: column 7, lines 19-39, wherein the threshold is the value A, the SAD value is the SAD). Although Jeong fails to show the first and second memories as disclosed, Jeong does show one memory for storing the frame data needed for the SAD calculations (Jeong: figure 2). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to take the apparatus disclosed by Jeong and split the one memory into two memories in order to make the apparatus more efficient by allowing the system to perform more complex operations due to the increase in memory.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dave Czekaj whose telephone number is (571) 272-7327. The examiner can normally be reached on Monday - Friday 9 hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on (571) 272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DJC

Mehrdad Dastouri
MEHRDAD DASTOURI
SUPERVISORY PATENT EXAMINER
TC 2600